

MINUTES - FACULTY SENATE MEETING OF MAY 4, 1983

The meeting was called to order at 3:52 p.m. by Chairman Robert B. Patterson.

I. Approval of Minutes.

PROFESSOR GARY BLANPIED, DEPARTMENT OF PHYSICS, reported that both Senators from his department were in attendance at the April meeting, as did PROFESSOR WILLIAM ECCLES, COLLEGE OF ENGINEERING, with respect to himself and Professor Van Brunt from the College of Engineering. PROFESSOR ECCLES raised the question as to what had happened to the Attendance Roster and the SECRETARY responded that a number of Senators at the April meeting, for reasons he did not understand, had recorded their attendance under the column for the March meeting and not the April meeting. The SECRETARY urged the Senators to please not leave the Senate each meeting without having previously signed the roster which can always be obtained from either Mrs. Pickels or the Secretary at the conclusion of the meeting. PROFESSOR RAY MOORE moved to correct the Minutes on page M-15 where he had been quoted as saying "I am changing my strategy" and wished this to reflect instead that "I am randomizing my strategy". The Minutes were approved as corrected.

II. Reports of Officers.

The CHAIR expressed to the Senate his great enjoyment at having served that body and indicated he would have further remarks on his term of office at the July Senate meeting.

The CHAIR also stated that he had been requested by one of the faculty committee^s to call the faculty's attention to the University Bulletin, page U19, the section on "Confidentiality of Student Records" because of the April 16th newspaper article concerning the academic status of athletes and the use of remedial course work in which the academic records of students had been alluded to. He pointed out that the Family Education Rights and Privacy Act of 1974 prohibits the use of student records except by authorized persons. The CHAIR recommended that if any faculty member had a question with regard to the propriety of the use of student academic records that he/she should seek the advice of the University Counsel.

III. Report of Committees.

A. Faculty Senate Steering Committee.

The SECRETARY placed in nomination the name of Professor Judith Joyner, College of Education, for a vacancy on the Scholastic Standards and Petitions Committee. The floor was opened for additional nominations but none were forthcoming.

The SECRETARY then explained to the Senate that the Steering Committee in its recent deliberations about faculty committee nominations had recognized that on the elected committees where there are both faculty and non-faculty members serving, that it could develop that the question of eligibility might arise for the chairmanship of such committees. Hence, the Steering Committee sought to clarify such an eventuality in advance. Towards that end, the SECRETARY introduced the following motion:

That it is the sense of the Faculty Senate that the Chairman of a Faculty Committee shall be a faculty member except as otherwise indicated in the Faculty Manual.

There was no discussion of this motion and the motion was approved.

B. Grade Change Committee, Professor Patrica Mason, Chair:

The report was approved as circulated.

Motion
Adopted
on
Faculty
Committee
Chairs

C. Curricula and Courses Committee, Professor Peter Sederberg, Chair:

New
Chairman
Elected

PROFESSOR SEDERBERG announced that Professor Robert Pettus of the College of Engineering has been elected as Chairman of the Committee for the 1983-84 academic year. The Committee's report which was circulated attached to the May Agenda, pages A-3 - A-7, was approved in its entirety without debate, but with the following editorial corrections:

1. Page A-3, change in description of ENGR 375, "finite-state automata," should read "finite-state automata;"
2. Page A-5, new course, GEOL 528, "viscosity; vorticity;" should read "viscosity, vorticity,"

PROFESSOR COLIN BENNETT, DEPARTMENT OF MATHEMATICS AND STATISTICS, had sought and obtained a clarification with respect to the proposed new course, GEOL 582, on page A-5. PROFESSOR BENNETT had requested to know which differential equations course was to serve as a prerequisite and explained that there were several "around the University". PROFESSOR SEDERBERG explained that it was the Committee's understanding "that there was no particular course; it was just simply that the subject was required".

Education
Proposals
Introduced

PROFESSOR SEDERBERG then introduced the supplemental materials provided by his committee circulated to the faculty with a cover memorandum from the Secretary of April 29, 1983. These materials included a curriculum revision and new courses for the College of Education. PROFESSOR SEDERBERG introduced these proposals with recognition for Deans Mulhern and Duff and Professor Mac Brown of the College of Education and a "special note of thanks" to the Faculty Senate Administrative Assistant, Peggy Pickels, for her efforts in preparation of the documents for review by the Senate. PROFESSOR SEDERBERG explained that these proposals came as a result of the elimination of the undergraduate baccalaureate degree programs in the College of Education and that what was before the Senate was a program for certifying students who are seeking degrees in disciplines in the Colleges of Science and Mathematics, Humanities and Social Sciences, and Health. PROFESSOR SEDERBERG stressed that "adjustments" may need to be made in subsequent months ahead as the University implements these changes and that there will "undoubtedly be some subsequent fine tuning made".

The Senate first approved the proposed materials on pages 1-8 through to mid-right hand column, page 8, "Curricula".

PROFESSOR SEDERBERG made the following editorial correction: page 9, proposed wording, paragraph 2, fourth line from the bottom, which had read "to which they . . ." now to read "to which he/she . . .".

Debate
on
Proposal

PROFESSOR COLIN BENNETT, DEPARTMENT OF MATHEMATICS AND STATISTICS, raised a question about the proposed curricula, page 8, the listing of "liberal arts experiences" in specific course areas and asked for additional detailed explanation. PROFESSOR SEDERBERG responded that these are certification requirements and that they do not refer to particular courses, rather areas, and therefore there is a certain degree of flexibility as to how these can be fulfilled. Representatives of the College of Education were called upon for additional clarification and discussion in response to further questioning from Professor Bennett and a lengthy debate ensued. PROFESSOR SEDERBERG finally accepted an editorial change which resulted in the following change: the proposed wording "Specialized preparation in English, mathematics, art, music, and health (for early childhood and elementary education certification seekers only) - 18 semester hours". With that change the Senate approved pages 8 and 9 of the proposal.

The Senate then approved the certification requirements for Early Childhood Education on page 11.

On page 12, the COMMITTEE CHAIR made the following editorial corrections, proposed wording, last paragraph, next to the last line, "his committee" to read "his/her committee . . .". The Senate then approved the Elementary Education Certification Requirements and the Elementary and Middle School Dual Requirements Certification Programs on page 12.

PROFESSOR SEDERBERG explained the following editorial corrections on page 15 as the result of withdrawal of certain materials by the College of Education. Under proposed wording, Secondary Education Certification Requirements, retain the heading "Professional Education Certification Requirements" but delete all the references to the particular courses that followed them. As a result of that change, it was necessary to delete footnotes 2, 3,

and 4 at the bottom of page 15 under proposed wording. Instead, the former proposed wording, on page 16, first and only right hand column paragraph, will now be inserted under the previous heading of "Professional Education Requirements" on page 15, (under proposed wording) and that paragraph will now read as follows:

Students should consult advisors in the various colleges and in the College of Education for teacher certification requirements in the following areas: art, biology, chemistry, English, French, German, health, history, Latin, mathematics, natural science, physical education, physics, psychology, social studies, and Spanish.

The Senate approved these materials as editorially changed.

The Senate then approved the Nine-hours Pre-professional Core on page 18.

On page 18, in the new course proposal for EDEC 541, a comma was added by PROFESSOR SEDERBERG after the word "materials"; on page 19, in the proposal for EDEC 542, PROFESSOR SEDERBERG added a period after the word "arts". The CHAIR inquired as to whether or not the heading "Bachelor of Arts in Interdisciplinary Studies" on page 18 "belongs in this motion"? PROFESSOR SEDERBERG responded that it does not belong in the motion because it was not going to be placed in the catalogue. He explained that this was because "all we are moving here are courses to be inserted in the appropriate areas under the course listings in the College of Education".

PROFESSOR MICHAEL DEWEY, DEPARTMENT OF BIOLOGY, raised a question about the proposal for EDEC 546, page 19, and stated that his department wanted to see the title ". . . Ecological Influences" changed to ". . . Environmental Influences". PROFESSOR DEWEY explained that the "term ecological influences is not proper construction; ecology is a science, a science of the environment and should be changed from ecological to environmental". PROFESSOR CAROL FLAKE-HOBSON, COLLEGE OF EDUCATION, responded to explain that her college proposed this title because the course proposal was based on a book entitled "The Ecology of Human Development" which emphasizes the necessity for looking at humans within an ecological context of the family, the school, the society . . . ". PROFESSOR DAVID REMBERT, DEPARTMENT OF BIOLOGY, stated that "ecology is a study of organisms in relation to their environment and ecological influence is not a proper construction". After further discussion between the Chair and Professors Rembert and Flake-Hobson, a new title was proposed and accepted by all. Hence, EDEC 546 is now entitled "Education of Young Children: An Ecological Approach". PROFESSOR RAY MOORE, GOVERNMENT AND INTERNATIONAL STUDIES, commented that it was his opinion that the Senate "should be grateful" for the long debate it was going through because in his opinion "the overall academic content of the degree has been improved as a result of the curriculum changes". The Senate then approved the materials under Early Childhood Teacher Certification, page 18 and 19.

Senate
Completes
Action
in
Approving
All
Education
Proposals

In discussion of the proposal for Secondary Education on pages 19 and 20, PROFESSOR COLIN BENNETT, DEPARTMENT OF MATHEMATICS AND STATISTICS, made reference to the proposed new course, EDSE 510, "Secondary Student Teaching Seminar" and inquired as to what the purpose of that course is. PROFESSOR ALLAN BRANDHORST, COLLEGE OF EDUCATION, responded that this course was to be a seminar conducted in conjunction with student teaching and that the students will still be in the class for the same period of time, 12 weeks. The Senate approved the Secondary Education proposal and this completed the Senate action on the entire curriculum revision and new courses for the College of Education. The Senate expressed its appreciation to Professor Sederberg with a round of applause.

C. Faculty Advisory Committee, Professor Robert Felix, Chair:

Patent
Policy
Presented
for
Information

PROFESSOR FELIX called the Senate's attention to his Committee's attachment on page A-8 and explained that it was the draft of the Patent and Copyright Policy which resulted from action initiated by the University Counsel following a patent litigation. He explained that the existing policy is in the Faculty Manual, beginning on page 53 and what the Senate had before it was to show all the new passages by underscoring and all the deleted passages by brackets. This was presented for the information of the faculty. PROFESSOR CHARLES WEASMER, GOVERNMENT AND INTERNATIONAL STUDIES, pointed out that this draft copy did not reflect the changes made in the patent policy by Senate action in May of 1982 when the Senate changed the description of the membership of the Patent and Copyright Committee. PROFESSOR WILLIAM ECCLES, COLLEGE OF ENGINEERING, explained that he was having difficulties following the content of the policy because he could not find "anything to do with copyright". PROFESSOR DAVID SHIPLEY, LAW SCHOOL, spoke in his capacity as Chairman of the Patent and Copyright Committee and explained that "the University Counsel has recommended no changes to the copyright policy so we must assume that what follows is in the Faculty Manual".

Report on
Summer
Sabbatical
Policy

PROFESSOR FELIX then reported on the matter of a proposed summer sabbatical policy which was suggested at the Faculty Senate meeting in March and referred to the Faculty Advisory Committee for further study. PROFESSOR FELIX reported that it was the view of the Committee "that while certain faculty members might find the so-called summer sabbatical useful or attractive to them that other members of the faculty might find if this were built into the sabbatical policy that it would be to their disadvantage as units may vary in the manner in which they handle opportunities for research in the summertime". In conclusion, the Faculty Advisory Committee's position was that "it appears administratively feasible and maybe attractive to particular individuals and should be pursued at that level but that it need not be incorporated into the existing sabbatical policy".

Education
399
Matter
Referred
to
Steering
Committee

PROFESSOR FELIX also reported to the Senate that the Faculty Advisory Committee had been invited to consider the recent matter of the use of the 399 course by the College of Education. The Committee concluded that the Faculty Senate Steering Committee was the more appropriate body to deal with that matter "as much as it has the membership of the chairmen of certain committees" (i.e. Curriculum and Courses, Standards and Petitions, Athletic Advisory Committee). The Committee had also discussed the issues of ethics and breach of trust involved connected with the matter of turning student academic records over to persons outside the University who had no right of access to them.

PROFESSOR FELIX reported that the Faculty Advisory Committee continues to have on its agenda the matter of the Faculty Manual provisions regarding phase outs of academic programs and reduction in force. However, the Committee had no recommendation to make at this time. PROFESSOR FELIX made reference to the Committee's understanding that a new Faculty Manual is in the making and requested faculty who wish to have changes made in the Manual address their concerns to the Committee. Finally, PROFESSOR FELIX reported that the Committee had met with members of the Faculty Welfare Committee and the outgoing members of the Tenure and Promotion Committee to prepare its annual slate of nominees to replace those faculty rotating off the University Committee on Tenure and Promotion.

D. Scholastic Standards and Petitions Committee, Professor Trevor Howard-Hill,
Chair:

Election
of
New
Chairman

Committee
Does Not
Recommend
Changes in
Current
Attendance
Policy

PROFESSOR HOWARD-HILL announced the election of Professor Ed Gregg, Department of History, as the Chairman of the Scholastic Standards and Petitions Committee for the academic year 1983-84. PROFESSOR HOWARD-HILL also called the attention of the Senate to the report of his committee, page A-9. PROFESSOR RAY MOORE, GOVERNMENT AND INTERNATIONAL STUDIES, responded that he had read carefully the report of the Committee and "in celebration of Professor Howard-Hill's outgoing session I am not going to make any major moves from the floor and will let him go in peace". PROFESSOR MOORE also noted that on this particular occasion that he was in agreement with the Committee on rejecting the Student Government Association request for excused absences in excess of the 10% limitation of the current attendance policy. However, PROFESSOR MOORE reiterated his "rather profound conviction that the 10% rule is a very, very bad rule and should be examined very carefully" and added his hope that the matter will be reexamined next year.

E. Athletic Advisory Committee, Professor James Knight, Chair:

PROFESSOR KNIGHT indicated that his committee will submit a written report to be published with the Minutes and the agenda during the summer, but at this meeting he wished to present a verbal report, as follows:

Report of
Athletic
Advisory
Committee

First of all, I would like to say that no issues were formally referred to this committee during the year. I am assuming that this is due to a general satisfaction of everyone with the way the athletic program operates and not lack of confidence in the Committee. The Committee at the beginning of this year has adopted bylaws by which it will ensure the continuity of its activities to fulfill its basic mission which is first of all to keep a dialogue open with the Athletic Department. The Committee met seven times during the year basically to discuss the athletic program with various members of the Athletic Department. I would like to say that they have been very cooperative in providing information to the Committee and I would like to urge the faculty to refer more of its athletic concerns to this committee so that we can fulfill its mandate to serve as an advisory body.

The second charge of the Committee is to attend to the academic status of athletes and as of last year the Registrar and the Director of Admissions are regularly present at the Committee meetings to serve as consultants to the Committee in order to provide various information about the status of entering and continuing athletes. They have been providing this basically from reports which they provide to the Athletic Department on the status of their athletes.

Due, however, to rumors of the abuse of the academic status of athletes and actual abuse or improprieties connected with the remedial course offered in the College of Education which was brought to the attention of the Committee in February, we have a subcommittee at work which is refining the procedures so that perhaps this sort of situation can be brought to our attention a little bit sooner. In fact, the Committee is designing its own request for information about admissions and also a form to conduct a regular study of course distributions among athletes, for example, and is also planning an indepth study of a profile of a typical group of athletes who have entered the University to decide what happens to them academically. This work of the subcommittee is not yet complete but is in progress and will be reported to the faculty at a later date.

I would like to make one or two remarks about the general situation of athletics with respect to changes in the NCAA regulations. There have been a number of changes in the NCAA regulations recently which I would like to call to the attention of the faculty which place somewhat more pressure on the Athletic Department in maintaining academic eligibility of students. There is first of all the limitation on the number of athletic scholarships which makes it necessary for the Athletic Department to see to it that their athletes maintain their eligibility. Also as of 1981, that means for students who are now in their second year, students in order to maintain this eligibility must complete 24 credit hours a year. These rules are in effect now without any change in the previous admissions standards. There is another rule scheduled to come into effect in 1986. As it stands now there will be a requirement that entering students will not be eligible for competition as freshmen unless they score 700 or above on the SAT. That means, that, for example, in 1981 this would pertain to 16 out of the 30 athletes admitted in football. The President has already outlined the scope of presidential admissions. I think there is one or two this year which have not yet come to his desk yet but it is true that the number of athletes seeking presidential admission is somewhat diminished this year. I would like to point out that these students who are athletes who are admitted by the President should not be considered in the same category academically as the Opportunity Scholars. In fact they were at one time included in the Opportunity Scholars Program. The Opportunity Scholars are more academically motivated and they have more time to devote to their academic pursuits than the athletes. The athletes have a great deal of pressure on them to pass 24 hours when they enter the University requiring remedial work. So this adds up to a great deal of pressure to which the Committee is supposed to be attending. The coaches have affirmed their intention of recruiting academically qualified athletes and we hope that that will be the case. That concludes my report, although I do have some data that pertains to the remedial course in Education and the athletes in that course. But since this will not be continued I can answer any question pertaining to the actual fact with regard to this situation that one wishes. I have examined the transcripts of some students involved in this course and I do have some statistical data pertaining to the scope of the course and I would be glad to answer any questions and I will submit data.

PROFESSOR RAY MOORE, GOVERNMENT AND INTERNATIONAL STUDIES, responded by requesting the Committee to make a written report and to include "as much of the data as they can for general distribution to the faculty".

IV. Report of Secretary.

No report.

V. Unfinished Business.

None.

VI. New Business.

None.

VII. Good of the Order.

PROFESSOR HILDA OWENS, COLLEGE OF EDUCATION, addressed the Senate as follows:

Statement by
Professor
Hilda Owens
on Faculty
Grievance
Procedures
and Request
for Investiga-
tion by Faculty
Welfare Committee

I would like to take this opportunity to express my concern about the tenure policy that was passed by this body, by the University Faculty, and by the University Board of Trustees in the spring of 1981. Having gone through the new process with regard to grievance procedures, I would like to request that the Chair have the Faculty Welfare Committee study the grievance procedure portions of the tenure regulations for untenured faculty as passed by the Senate, the University Faculty, and the University Board of Trustees in the spring of 1981. I further request that these regulations receive special consideration regarding the application of these policies and procedures as such application may have resulted both in a retroactive application which has proven detrimental to certain faculty and has resulted in a grievance process that does not guarantee certain grievance rights normally granted to employees of public colleges and universities - even those that happen to be untenured faculty members. I would also suggest that the explanations given in response to questions raised when the policies were adopted by the University faculty (as reflected in the Minutes of April 15, 1981) have not been fully honored. Therefore, such actions renew the original concerns about this policy and the interpretations now given to the policy leave untenured faculty without even the basic rudiments of any kind of appeal process except in the final year.

I can say more about that if necessary, but let me say to the rest of you that this policy as passed in 1981 needs review. I will not comment a great deal further because I now have a Title VII complaint before the South Carolina Human Affairs Commission. I hope that we can negotiate it; if not, we will litigate it. What we have is a situation where everything rests at the administrative level; there is no full appeal process except for academic freedom and nobody claims academic freedom any more. Prior to this change there were four bases for appealing a tenure decision.

I applied for tenure (1981-82) and received a 21-2 vote by the University Tenure and Promotion Committee for early tenure. I was pleased when the President indicated earlier this afternoon that he thought a 72-21 vote was good (referring to a vote on the Medical School budget in the South Carolina House of Representatives). I received a 21-2 vote, and it was the only positive tenure decision (by the University Tenure and Promotions Committee) that the President did not honor. One week after I asked about that decision and a week before I got the information about the vote, I got a notice of non-reappointment indicating that my employment would not be extended beyond Summer School I 1983.

We have taken it through the University, and we might say that all the hearing bodies that have in fact heard us have found in our favor. The Board did not hear it on the basis of the non-reappointment issue. It was their interpretation that non-reappointment was not grievable except for academic freedom and they then ruled that the tenure issue could not be presented. I believe that's only fair (a hearing).

I am not speaking (on this matter) from some distant academic interest although I have that as well. It is a very personal matter. We will deal with our own situation and are in the process of dealing with it. There are, however, a lot of other untenured faculty, both male and female, at this University who do not, in my opinion now have the rights that they deserve, and I therefore request that the Faculty Welfare Committee study this matter.

Chair
Indicates
Matters to
be Referred
to Appropriate
Committees

The CHAIR responded by stating he would submit these matters to appropriate committees and he also requested that Professor Owens' recommendations be transmitted to him subsequent to the meeting. PROFESSOR OWENS responded as follows:

Let me make just one other point that might be of interest to the group. For example, when this policy was passed and you will probably recall there was considerable debate about the concern for procedural error and academic grievance. I read from the Minutes: "The first of these can be handled more expeditiously by the administration employing established procedure. The second reason (which was academic grievance procedure), can be handled more judiciously by the tenured faculty which must recommend appointment or its denial. Fourthly, (it goes on to say that) it is precisely this mandated involvement of tenured faculty which guarantees the faculty member fair treatment and prevents arbitrary and capricious acts by administrators." I submit to you that the policy is not being applied accordingly; I had a unanimous vote from my unit (tenured faculty) for reappointment, and I received non-reappointment. So the good faith reasons given that permitted this policy to be passed are not in fact being practiced.*

PROFESSOR RAY MOORE explained to the Faculty Senate, also under Good of the Order, his difficulties in obtaining payment of an honorarium to another faculty member at a South Carolina state institution under the state's dual employment policy. He described these state regulations as "absolutely preposterous". Then PROFESSOR MOORE went on to express "some strong value laden views" on the matter of the "athletic situation in the School of Education", as follows:

Statement
by
Professor
Moore
on College
of Education -
Athletics
Matter

I spent several hours this morning reviewing all the documents, articles, columns and the editorials inspired by the whistleblower in Education who sent me a copy of all these things with hope that we could redress it. We wanted to stop the use of independent study courses in Educational Psychology. But I suspect that he or she, whoever it may be, probably has accomplished that purpose by now plus uncovering a lot of unsavory facts that surround this particular caper. I must confess that my residual conclusion is that this whole affair is profoundly distasteful to me and I would hope to most of us. I think our indication of interest and concern expressed in five committees and elsewhere is indicative of that. We have athletes admitted to the University who can't read or write. On this particular occasion I do think that the press and the editorial columns elsewhere have expressed a proper moral concern if not outrage over this situation. We have had remedial programs that abuse, distort, and even violate academic regulations. We have had a whistleblowing that seems necessary to expose a situation to disinfecting sunshine which went outside the channels of the University and may have involved in fact violations of confidentiality of record. It has also included a lot of bad publicity for the University and the reminder that once again at least in my

*(The Secretary has reported here Professor Owens' remarks based on his editing of the recorded transcript and Professor Owens' written text of her remarks. The poor quality of the tape recording made this necessary).

judgement that big time intercollegiate athletics is a growing cancer on academic life of this University. If we are forced to live with it we should at least not have any illusions about it. In fact it takes a sportscaster with a conscience like Herman Helms to remind us that "Universities and colleges exist for teaching and research not winning games." This cannot be emphasized too strongly for the benefit of the sports minded alumni. Athletes must be students first. They must take the same courses, the same exams, keep the same standards of other students. It certainly seems self evident to me. But it is apparent that big time athletics has become the opiate of the alumni and I end this reiteration of first principle by Herman Helms by saying "Amen".

Professor
Joyner
Elected to
Scholastic
Standards
and
Petitions

VIII. Announcements.

The CHAIR opened the floor for additional nominations for the faculty vacancy on the Committee on Scholastic Standards and Petitions; and hearing no additional nominations the CHAIR declared elected Professor Judith Joyner of the College of Education.

The Senate was adjourned at 5:12 p.m.